

**Before the
United States Copyright Royalty Judges
Library of Congress**

In the Matter of:

Notice and Recordkeeping for Use of Sound
Recordings under Statutory License

Docket No. 14-CRB-0005 (RM)

**SOUNDEXCHANGE, INC. MOTION FOR
EXTENSION OF TIME FOR REPLY COMMENTS**

SoundExchange, Inc. respectfully requests that the Judges extend the deadline for filing reply comments in the above-captioned proceeding until September 5, 2014. Such an extension is intended to allow the same interval for the preparation of reply comments as was available for the preparation of initial comments, and would enable SoundExchange and any other parties wishing to file reply comments an opportunity to provide for the Copyright Royalty Judges a more complete administrative record on which to base their decision concerning the important issues raised in this proceeding.

The Judges published their Notice of Proposed Rulemaking ("NPRM") in this proceeding on May 2, 2014. *See* 79 Fed. Reg. 25,038 (May 2, 2014). The National Association of Broadcasters ("NAB") subsequently requested an extension of the period for filing initial comments, which the Judges granted. *See* 79 Fed. Reg. 33,491 (June 11, 2014). Pursuant to that extension, the Judges permitted a total of 59 days for the filing of initial comments (from May 2 to June 30, 2014). The Judges' Order granting the extension set a deadline for the filing of reply comments of August 11, 2014.

The initial comments were not posted to the Copyright Royalty Board website, and so were not available to SoundExchange and other stakeholders, until on or about July 8, 2014. In

total, 28 comments were filed. The initial comments are substantive and quite broad-ranging. While some of them are cumulative, NAB's comments alone are 274 pages long. Just as NAB sought and received extra time to investigate the facts relevant to its response to the NPRM, *see* 79 Fed. Reg. at 33,491, completing the fact-finding necessary to prepare a detailed and meaningful response to the initial comments will be a very significant undertaking for SoundExchange. However, SoundExchange currently has a shorter time (34 days between the posting of the initial comments and the reply comment deadline) to address a wider range of issues and arguments than in the case of the initial comments. It is also a time of year when summer vacation schedules will make it challenging to engage in such fact-finding. So that SoundExchange (and others) can provide thorough reply comments to complete the administrative record for the Judges, SoundExchange requests that the period for the filing of reply comments be extended to be equivalent to the interval for filing initial comments.

Despite SoundExchange's desire to move ahead with the proposals made in its Petition, SoundExchange believes that it would be better to develop an administrative record that will allow the Judges to make a properly-informed decision concerning those issues than to rush to a conclusion of this proceeding a few weeks' earlier. There is no urgent need to act on the Joint Petition (*see* 79 Fed. Reg. at 25,039-40), because the issues it raises are fully addressed by the Judges' regulations at 37 C.F.R. § 380.23(g) through the end of 2015.

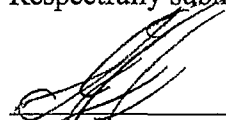
Accordingly, SoundExchange respectfully requests that the Judges extend the deadline for filing reply comments in the above-captioned proceeding until September 5, 2014.

July 14, 2014

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Counsel for SoundExchange, Inc.

Keys, LaKeshia

From: Barnett, Suzanne on behalf of crb
Sent: Friday, July 18, 2014 10:00 AM
To: Feder, Jesse
Cc: crb
Subject: FW: Notice & Recordkeeping (Docket No. 14-CRB-0005 (RM)) - Request for Extension
Attachments: SX motion.pdf

Any objection to extending the time?

I didn't do LaKeshia's job very well and we had a delay in posting the comments.

Suzanne

From: Englund, Steve [<mailto:SEnglund@jenner.com>]
Sent: Monday, July 14, 2014 12:17 PM
To: crb
Subject: Notice & Recordkeeping (Docket No. 14-CRB-0005 (RM)) - Request for Extension

I have attached a request for an extension of time for the filing of reply comments in the Section 114 notice & recordkeeping proceeding (Docket No. 14-CRB-0005 (RM)). I am providing this by email because that is the means of filing stated in the NPRM, and a call to the contact telephone number specified in the NPRM rolled over to voicemail. Please acknowledge receipt of this request by reply email, and let me know if you would prefer to have this filed in hard copy.

Best regards,

Steve Englund
Counsel for SoundExchange, Inc.

Steve Englund

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Keys, LaKeshia

From: Greg Lewis <glewis@npr.org>
Sent: Tuesday, July 01, 2014 7:27 PM
To: Barnett, Suzanne; crb
Cc: crb; Strickler, David; Feder, Jesse; Strasser, Richard; Keys, LaKeshia
Subject: RE: Web-IV Order

Email and Order received.

Gregory A. Lewis
Deputy General Counsel
National Public Radio, Inc.

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From: Barnett, Suzanne [<mailto:suba@loc.gov>]
Sent: Tuesday, July 01, 2014 11:23 AM
To: crb
Cc: crb; Barnett, Suzanne; Strickler, David; Feder, Jesse; Strasser, Richard; Keys, LaKeshia
Subject: Web-IV Order

Attached please find the Order for Further Proceedings in the Web-IV proceeding.

Please reply as confirmation that you received this email.

Copyright Royalty Board
crb@loc.gov